

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

WH JOHN SMITH,

CIVIL NO. 14-3425 (MJD/JSM)

Plaintiff,

v.

ORDER

DENESE WILSON, *Warden*;
and KATHLEEN M. KENNEY,
General Counsel,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 29, 2014. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. This action is dismissed without prejudice; and
2. Plaintiff WH John Smith's application to proceed in forma pauperis [Docket No. 2] is denied as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 1, 2014

s/Michael J. Davis
MICHAEL J. DAVIS
Chief United States District Judge